

**DELEGATED APPROVAL FORM**  
**DIRECTOR, REAL ESTATE SERVICES**  
**MANAGER, REAL ESTATE SERVICES**

**TRACKING NO.: 2021-054**

Approved pursuant to the Delegated Authority contained in Article 2 of City of Toronto Municipal Code Chapter 213, Real Property

<b>Prepared By:</b>	Jackie Brown	<b>Division:</b>	Legal File No.: 2600.700.5621.21
<b>Date Prepared:</b>	March 10, 2021	<b>Phone No.:</b>	416-338-1257
<b>Purpose</b>	<p>To consent to the partial release of the following Instrument Numbers: (1) A72396, being an Encroachment Agreement, registered on April 18, 1961; (2) A92156, being an Encroachment Agreement, registered on May 16, 1962; and (3) C236684, being an Encroachment Agreement registered on October 3, 1985 (collectively the "Encroachment Agreements") from the lands described as part of Parcel 2-1 Section A124 and part of Parcel 2-2 Section A124 designated as <b>Part 21, 22 and 24</b>, on Plan 66R-31717, being part of PIN 21091-0001(LT) and 21091-0002(LT) (the "Property").</p> <p>To consent to the partial release of Instrument Numbers C715305 and CA143752 being Development Agreements, registered on June 18, 1991 (collectively the "Development Agreements") from the lands described as part of Parcel 2-1 Section A124, part of Parcel 2-2 Section A124 and part of Lot 3 on the North Side of Duchess Street, Plan 124, designated as <b>Parts 21, 22, 24 &amp; 26 on Plan 66R-31717</b>, being part of PINs 21091-0001(LT), 21091-0002(LT) and 21091-0058(LT) (collectively the "Lane Widening Lands").</p>		
<b>Property</b>	245-283 Queen Street East, 348-412 Richmond Street, 78-106 Ontario Street and 8-12 Brigden Place		
<b>Actions</b>	<ol style="list-style-type: none"> <li>1. To consent to the partial release of the Encroachment Agreements from the Property; and</li> <li>2. To consent to the partial release of the Development Agreements from the Lane Widening Lands.</li> </ol>		
<b>Financial Impact</b>	There is no financial impact.		
<b>Comments</b>	<p>Both the Encroachment Agreements and the Development Agreements are registered on title to the Property, and Lane Widening Lands, together with other lands, collectively <b>Parts 20 to 26, inclusive, on Plan 66R-31717</b> (the "Original Lands"). The Encroachment Agreements were entered into with the City in connection with certain building encroachments in respect a certain building(s) erected at the time municipally known as 354 Richmond Street East and 110-116 Duchess Street. The Encroachment Agreements do not pertain to the Property, therefore, it is appropriate to consent to the partial release of the Encroachment Agreements from the Property. The Encroachment Agreements will remain registered on title to the remainder of the Original Lands being Parts 20, 23, on Plan 66R-31717 (the "Retained Lands 1").</p> <p>The Development Agreements were entered into with the City in connection with a development at the time. As a result of a redevelopment of the Original Lands, under the Local Planning Appeal Tribunal, Case Number PL190317, the owner is required to convey the Lane Widening Lands to the City for lane widening purposes. Therefore, in order to convey clear title to the City, and as the Development Agreements do not pertain to the Lane Widening Lands, it is appropriate to consent to the partial release of the Development Agreements from the Lane Widening Lands. .</p> <p>The Development Agreements will remain registered on title to the remainder of the Original Lands being Parts 20, 23 and 25 on Plan 66R-31717 (the "Retained Lands 2")</p>		
<b>Terms</b>	<p>David Sit, Planner, City Planning Division, Toronto &amp; East York, confirmed by email dated February 7, 2021, that as the Development Agreements do not pertain to the Property, it is appropriate to consent to the partial release of the Development Agreements from the Property. The Development Agreements will remain registered against title to the Retained Lands 2.</p> <p>Gerrard Vinet, Transportation Services, Right of Way Management, Toronto &amp; East York, confirmed by email dated March 9, 2021 that the Encroachment Agreements do not pertain to the Property. Accordingly, they will not be impacted by this partial release. The Encroachment Agreements will remain registered on title to the Retained Lands 1.</p>		
<b>Property Details</b>	<b>Ward:</b>		
	<b>Assessment Roll No.:</b>		
	<b>Approximate Size:</b>		
	<b>Approximate Area:</b>		
	<b>Other Information:</b>		

A.	Manager, Real Estate Services has approval authority for:	Director, Real Estate Services has approval authority for:
<p>1. Acquisitions:</p> <p>2A. Expropriations Where City is Expropriating Authority:</p> <p>2B. Expropriations For Transit-Related Purposes Where City is Property Owner or Has Interest in Property Being Expropriated:</p> <p>3. Issuance of RFPs/REOIs:</p> <p>4. Permanent Highway Closures:</p> <p>5. Transfer of Operational Management to Divisions, Agencies and Corporations:</p> <p>6. Limiting Distance Agreements:</p> <p>7. Disposals (including Leases of 21 years or more):</p> <p>8. Exchange of land in Green Space System &amp; Parks &amp; Open Space Areas of Official Plan:</p> <p>9. Leases/Licences (City as Landlord/Licensors):</p> <p>10. Leases/Licences (City as Tenant/Licensee):</p> <p>11. Easements (City as Grantor):</p> <p>12. Easements (City as Grantee):</p> <p>13. Revisions to Council Decisions in Real Estate Matters:</p> <p>14. Miscellaneous:</p>	<p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$50,000.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$50,000.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding three (3) months, including licences for environmental assessments and/or testing, etc.</p> <p><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$50,000.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$50,000.</p> <p><b>Delegated to more senior positions.</b></p> <p><b>Delegated to more senior positions.</b></p>	<p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p><input type="checkbox"/> (a) Acceptance of statutory offers, agreements and settlements where total compensation does not cumulatively exceed \$1 Million.</p> <p><input type="checkbox"/> (b) Request Hearings of Necessity.</p> <p><input type="checkbox"/> (c) Waive Hearings of Necessity.</p> <p><input type="checkbox"/> Issuance of RFPs/REOIs.</p> <p><input type="checkbox"/> Initiate process &amp; authorize GM, Transportation Services to give notice of proposed by-law.</p> <p><b>Delegated to more senior positions.</b></p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Exchange of land in Green Space System and Parks and Open Space Areas of Official Plan.</p> <p><input type="checkbox"/> (a) Where total compensation (including options/renewals) does not exceed \$1 Million.</p> <p><input type="checkbox"/> (b) Where compensation is less than market value, for periods not exceeding six (6) months, including licences for environmental assessments and/or testing, etc.</p> <p><b>Leases pursuant to the Community Space Tenancy Policy delegated to a more senior position.</b></p> <p><input type="checkbox"/> Where total compensation (including options/renewals) does not exceed \$1 Million.</p> <p><input type="checkbox"/> (a) Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> (b) When closing roads, easements to pre-existing utilities for nominal consideration.</p> <p><input type="checkbox"/> Where total compensation does not exceed \$1 Million.</p> <p><input type="checkbox"/> Amendment must not be materially inconsistent with original decision (and subject to General Condition (U)).</p> <p><input type="checkbox"/> (a) Approvals, Consents, Notices and Assignments under all Leases/Licences</p> <p><input checked="" type="checkbox"/> (b) Releases/Discharges</p> <p><input type="checkbox"/> (c) Surrenders/Abandonments</p> <p><input type="checkbox"/> (d) Enforcements/Terminations</p> <p><input type="checkbox"/> (e) Consents/Non-Disturbance Agreements/Acknowledgements/Estoppel Certificates</p> <p><input type="checkbox"/> (f) Objections/Waivers/Cautions</p> <p><input type="checkbox"/> (g) Notices of Lease and Sublease</p> <p><input type="checkbox"/> (h) Consent to regulatory applications by City, as owner</p> <p><input type="checkbox"/> (i) Consent to assignment of Agreement of Purchase/Sale; Direction re Title</p> <p><input type="checkbox"/> (j) Documentation relating to Land Titles applications</p> <p><input type="checkbox"/> (k) Correcting/Quit Claim Transfer/Deeds</p>

**B. Director, Real Estate Services and Manager, Real Estate Services each has signing authority on behalf of the City for:**

- Documents required to implement matters for which each position also has delegated approval authority.
- Expropriation Applications and Notices following Council approval of expropriation (Manager, Transaction Services is only Manager with such signing authority).

**Director, Real Estate Services also has signing authority on behalf of the City for:**

- Agreements of Purchase and Sale and all implementing documentation for purchases, sales and land exchanges not delegated to staff for approval.
- Community Space Tenancy Leases approved by delegated authority by the Deputy City Manager, Corporate Services and any related documents.

**Pre-Condition to Approval**

Complies with General Conditions in Appendix B of City of Toronto Municipal Code Chapter 213, Real Property

**Consultation with Councillor(s)**

Councillor:		Councillor:		
Contact Name:		Contact Name:		
Contacted by:	Phone	E-Mail	Memo	Other
Comments:		Comments:		

**Consultation with Divisions and/or Agencies**

Division:	Transportation Services	Division:	Planning Division
Contact Name:	Gerrard Vinet	Contact Name:	David Sit
Comments:	No Objection	Comments:	No Objection

**Legal Services Division Contact**

Contact Name:	
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DAF Tracking No.: 2021-054	Date	Signature
<input checked="" type="checkbox"/> Recommended by: Director, Real Estate Law Ray Mickevicius	March 15, 2021	Signed by Ray Mickevicius
<input type="checkbox"/> Approved by:		
<input checked="" type="checkbox"/> Approved by: Director, Real Estate Services Alison Folosea	March 19, 2021	Signed by Alison Folosea